

S/N 09/904,234



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	GRISERI ET AL.	Examiner:	FOOTLAND, LENARD A.
Serial No.:	09/904,234	Group Art Unit:	3682
Filed:	JULY 12, 2001	Docket No.:	9728.231US01
Title:	BEARING-HUB UNIT FOR MOTOR VEHICLE WHEEL		

CERTIFICATE UNDER 37 CFR 1.10

Express Mail[®] mailing label number: EV 347834646 US

Date of Deposit: May 15, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Alexandria, VA 22313-1450.

[Handwritten signature]
John J. Daniels

**PETITION UNDER 37 CFR 1.181(a) REQUESTING
WITHDRAWAL OF HOLDING OF ABANDONMENT**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on April 28, 2003, Applicants respectfully petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment of the above-identified application for the reasons provided below.

A first Office Action was mailed on September 13, 2002, stating that the application included claims directed to multiple patentably distinct species and including a requirement under 35 U.S.C. § 121 to elect a species for prosecution.

On December 23, 2002, Applicants filed a Response to the Office Action. In the Response, Applicants elected the second species comprising Figure 4, and identified at least claims 1, 3, 4, and 5 as reading on the elected species.

A second Office Action was mailed on April 28, 2003. In the Action, the Examiner stated that the Response filed on December 23, 2002, was not fully responsive. The Examiner stated that a fully responsive reply must be filed within the statutory period, for reply provided for the first Office Action mailed September 13, 2002.

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In discussions with the Examiner on or about May 6, 2003, Applicants' representatives suggested that the Response was fully responsive to the first Office Action. The Examiner indicated that he disagreed. The Examiner indicated that he could not provide any relief, and that the response period for the first Office Action applied, even though the period for response expired prior to the mailing of the second Office Action.

The election provided in the Response of December 23, 2002, was fully responsive to the first Office Action, in that the Response clearly identified elected claims 1, 3, 4, and 5. Therefore Applicants request withdrawal of abandonment of the application.

In accordance with MPEP 711.03(c)(I), it is believed that no fee is due for this petition. However, if it is determined that a fee is required, please charge Deposit Account No. 13-2725 in an amount sufficient to cover the required fee.

In view of the above remarks, reconsideration and withdrawal of the holding of abandonment are respectfully requested. Please contact the undersigned attorney with any questions regarding this Petition.

Respectfully submitted,
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: May 15, 2003



By: 
Name: John J. Gresens
Reg. No.: 33,112
JJG/RAK:pll

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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Griseri et al. Examiner: Lenard A. Footland
Serial No.: 09/904,234 Group Art Unit: 3682
Filed: July 12, 2001 Docket: 9728.231US01
Confirmation No.: 2120 Due Date:
Title: BEARING-HUB UNIT FOR MOTOR VEHICLE WHEEL

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 347834646 US
Date of Deposit: May 15, 2003

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: *John J. Gresens*
Name: John J. Gresens

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

Transmittal Sheet in duplicate containing Certificate of Mailing.
 Petition.
 Return postcard.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: *John J. Gresens*
Name: John J. Gresens
Reg. No.: 33,112
JJG/RAK:pl



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